

Hensel is unconcerned with producing highly reflective films having sulphurization resistance, in contrast to those presently claimed and the present invention is unconcerned with wetting tungsten with silver, copper or their alloys.

Croce relates to anti-tarnish silver alloys but this has nothing to do with the object of Hensel. Moreover, Croce shows that P, which is contained in the presently claimed alloys and films as well as in Hensel's alloys, produces tarnish. See Croce's Comparative Example 6.

Therefore, even if Croce teaches what is relied on by the rejection, there is still no reason to combine this reference with Hensel.

Further, the Final Rejection states that adding In, Sn or Zn of Croce to the alloy of Hensel would provide the predictable benefit of improving ductility and casting of the alloy. However, Hensel is unconcerned with improved ductility and casting of the alloys and, therefore it is not understood why anyone seeking to improve the alloy of Hensel would look to Croce or why the combined reference teachings would lead to the present alloys.

Thus, it is not apparent why improved ductility or castability would be desired by Hensel or motivate the art-skilled to modify Hensel for this purpose. It is also not apparent what effect on wettability would result from the addition of In, Sn or Zn of Croce to Hensel.

It is also not apparent how the combination of Hensel with Croce would lead to the present alloys with high sulfurization resistance and high reflectance.

In the responses filed on November 10, 2009 and August 19, 2010, Declarations were filed to compare the alloys of Hensel and those presently claimed with regard to unexpected properties.

In paragraph 5 of the Final Rejection, the Examiner agrees that Declarant has shown a selection of alloys representative of those instantly claimed together with a statement that "Examples 1-6 to 6-8 are representative of the claimed scope".

However, paragraph 6 of the Final Rejection, states with respect to Declarations under 37 CFR 1.132 filed August 19, 2010, and November 10, 2009, " ... declarant has not stated (in a 1.132 declaration) that the comparative example (4-2) is closer to the claimed invention than the closest example of Hensel (column 1, lines 39-42 - 0.04% P, 4.97% Pt, balance Ag)".

Hensel, column 1, lines 47-55, shows the general makeup of Ag-alloy of Hensel, as follows:

P	0.01-1%
---	---------

Pt or Pd	0.25-20%
Ni, Co or Fe	0.001-0.5%
Ag	balance

Comparative Examples 4-2 (0.01 % P - 0.58% Pt - balance Ag) and 4-3 (0.01% P - 0.58% Pt - 0.27% Ni - balance Ag) fall within the above-mentioned general range of makeup of Hensel.

It is considered that these comparative examples are closer to the claimed invention of the present application than the makeup of 0.04% P - 4.97% Pt - balance Ag which has been indicated by the Examiner.

In this makeup of the example which is relied on by the Examiner, the content of Pt is much higher than "0.01-0.9 mass%" which is recited in Claim 21 of the present application. For this reason, it is considered that the above-mentioned Comparative Examples 4-2 and 4-3 in the Declaration filed on November 10, 2009 are more appropriate for the sake of comparison.

A Declaration by declarant Hasegawa (unexecuted with executed copy to follow), is submitted herewith to point out the above-discussed propriety of the comparisons in the previously filed declarations.

For the forgoing reasons, it is apparent that the rejection on prior art is untenable and should be withdrawn.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

Koichi HASEGAWA et al.

By Matthew M. Jacob/  
2011.02.08 16:29:01 -05'00'  
 Matthew M. Jacob  
 Registration No. 25,154  
 Attorney for Applicants

MJ/kjf  
 Washington, D.C. 20005-1503  
 Telephone (202) 721-8200  
 Facsimile (202) 721-8250  
 February 9, 2011